

8-27-2010khampton.txt

1 UNCERTIFIED ROUGH DRAFT TRANSCRIPT

2 DEPOSITION OF: KAMALA HAMPTON

3 DATE: AUGUST 27, 2010

4

5 DISCLAIMER: This uncertified rough draft transcript is
6 unedited and uncertified and may contain untranslated
7 words, a note made by the reporter, a misspelled proper
8 name, and/or word combinations that do not make sense.
9 All such entries will be corrected on the final certified
10 transcript which we will deliver to you in accordance
11 with your requested delivery arrangements.

12 Due to the need to correct entries prior to
13 certification, this rough draft transcript can be used
14 only for the purposes of annotating counsel's notes and
15 cannot be used or cited in any court proceedings or to
16 distribute to other parties to the case who have not
17 purchased a transcript copy.

18

19 CONSENT: By opting for this realtime rough draft
20 transcript, you have agreed: (1) To pay for the rough
21 transcript; (2) to pay for the final certified copy of
22 the transcript; and (3) not to furnish this rough draft
23 transcript, either in whole or in part, on disk or hard
24 copy, via modem or computer, or by any other means, to
25 any party or counsel to the case.

1

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398

8-27-2010khampton.txt

8

1 location, what was your position with the U.S.
2 government?

3 A I was a human resources specialist.

4 Q And by whom were you employed at that point?

5 A Prior to the merger, I was under the Department
6 of Justice, U.S. immigration and naturalization service.

7 Q INS?

8 A Yes.

9 Q When you said prior to the merger that was the
10 merger of immigration and customs?

11 A Yes.

12 Q And the formation of ICE?

13 A Well, Department of Homeland Security, which
14 included ICE, CBP and CIS and other agencies.

15 Q Okay. what do all those letters stand for?

16 A ICE is immigration and customs enforcement.

17 CBP is customs and border protection.

18 CIS is citizenship and immigration services.

19 They are considered different bureaus.

20 Q Within the Department of Homeland Security?

21 A Correct.

22 Q So when you went to work for customs and border
23 protection in January of 2005, just prior to that you had
24 been working for INS?

25 A Prior to that I was working for INS and then at

9

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398

8-27-2010khampton.txt

♀

1 A 19 -- approximately 1990 I went to work for INS.

2 Q And did you remain a human resources specialist
3 from 1990 until 2005?

4 A Yes I did.

5 Q Okay. And what was the job you had in the
6 government prior to 1990 if you can remember back that
7 far?

8 A Prior to 1990 I worked as a personnel management
9 specialist -- excuse me. Personnel staffing specialist
10 with the U.S. office of personnel management.

11 Q Personnel staffing specialist?

12 A Correct.

13 Q As a human resources specialist for INS, did
14 your duties change from 1990 until you left that job in
15 2005?

16 A Yes.

17 Q What were your duties when you started as a
18 human resources specialist?

19 A As a human resources specialist I would review
20 vacancy announcement, make qualification
21 determinations, assist employees with pay issues, and
22 personnel, other personnel issues related to benefits
23 such as their health, life insurance. I would do
24 employee orientations.

25 Q A hole gamut?

11

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398

8-27-2010khampton.txt

8

1 A It's the listing those persons that meet all of
2 the qualification requirements and toll be referred to
3 the program for their consideration.

4 Q And is this basically just a list?

5 A Yes.

6 Q And what do you do with that list?

7 A I type up the list.

8 Q No I mean after you've typed it up. Do you give
9 it to somebody?

10 A Yes, with the applications.

11 Q With the applications?

12 A Yes.

13 Q So you give a list of the number much names of
14 everybody that qualified on paper, along with their
15 applications and who would you give that list to?

16 A Whoever is designated as my contact point in the
17 program. I need to backtrack, because there is one form
18 that we request in the announcement but we remove it. It
19 was the race and nationality form. It was removed. We
20 remove it we don't forward that form.

21 Q Can you explain what you mean? What is a race
22 and national form?

23 A It's a form used for EEO purposes that we were
24 told to basically put in the vacancy announcement its
25 listed as a form and it's an optional form. But we

23

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398

8-27-2010khampton.txt

♀

1 always would go through the vacancy announcement; so if
2 it's in that application, in the person's application, we
3 remove it.

4 Q Now, is this a form that is part of the
5 application or is it a question on the application?

6 A It's just a -- it's the form that's questions
7 about you know race and national origin.

8 Q Okay. And when you say you remove it how do you
9 actually remove it?

10 A I either myself or my assistant in the personnel
11 office we remove it.

12 Q But is it a separate sheet of paper or do you
13 have to?

14 A No it's a separate sheet of paper.

15 Q Okay. And so after the applications come back
16 you just take that part of the applications and what do
17 you do with that part of the applications?

18 A Just hold it in the file.

19 Q You do hold it in the files?

20 A Yes.

21 Q But it does not go any further than the
22 department, than your department?

23 A Correct.

24 Q Okay. And does anyone in your department prior
25 to eliminating that particular part of the form, do they

24

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398

8-27-2010khampton.txt

♀

1 objected in some way or filed some sort of a grievance
2 with regard to the hiring process as to handling this
3 merit promotion file in a different way?

4 A Could you restate that.

5 Q It looks like you don't understand the question?

6 A Yes I'm sorry.

7 Q No that's okay. Probably my fault?

8 Once this merit promotion file was put together
9 after people had received their jobs and it was put into
10 a filing cabinet or a box or however you kept it
11 somewhere, if one of the people who did not get the job
12 filed any kind of announcement peel or complaint or a
13 grievance whatever the process was with regard to
14 that, was there any effort made at that point to make
15 sure that the merit promotion file was kept at least
16 until in a grievance or appeal or whatever it is had been
17 finally resolved.

18 A Yes. If we have the file we would pull the
19 file. Sometimes the applicant who wasn't selected May go
20 through FOIA, freedom of information or public
21 information to obtain you know documentation or
22 information as to why they were not selected. If an EEO
23 complaint was filed or a grievance was filed we'd pull
24 the file and sit with whom ever while they review the
25 file.

8-27-2010khampton.txt

8

1 Q Okay. And once the file has been pulled because
2 something like that is going on, would there be any
3 effort or any process by which they determined to keep
4 that file until this appeal process or whatever it is was
5 finished, as opposed to destroying the file under the
6 regular file retention schedule?

7 A Well it depends on the time frame between when
8 the person files and if we have the file. Some of them
9 we -- if the person -- if we get a large grievance and
10 it's within like a certain time frame, we just retain the
11 file.

12 Q Okay.

13 A We retain it.

14 Q Were you aware in 1995 that when
15 Mr. Carderella -- do you recall and it would be surprise
16 me if you did but would you recall if Mr. Carderella did
17 or did not get the position as a detention enforcement
18 officer in 1995 when he applied for it?

19 A No I do not recall.

20 Q Okay?

21 A I do not recall.

22 Q Do you recall or remember seeing any type of a
23 complaint an EEO complaint or any other type of an appeal
24 by Mr. Carderella of the fact that he did not get the
25 position?

35

HAHN & BOWERSOCK (800) 660-3187 - FAX (714) 662-1398